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| APPLICATION NO.                                                                                               | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO.         |
|---------------------------------------------------------------------------------------------------------------|-------------|----------------------|---------------------|--------------------------|
| 09/324,568                                                                                                    | 06/02/1999  | ADRIAN O. MANCINI    | 0500.01327          | 1726                     |
| 7590                                                                                                          | 04/26/2004  |                      |                     | EXAMINER<br>ZAND, KAMBIZ |
| CHRISTOPHER J. RECKAMP<br>MARKISON & RECKAMP, P.C.<br>P.O. BOX 06229<br>WACKER DRIVE<br>CHICAGO, IL 606060229 |             |                      | ART UNIT<br>2132    | PAPER NUMBER<br>114      |
| DATE MAILED: 04/26/2004                                                                                       |             |                      |                     |                          |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |
|------------------------------|------------------------|---------------------|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|                              | 09/324,568             | MANCINI ET AL.      |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |
|                              | Kambiz Zand            | 2132                |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 April 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,2 and 4-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 1 and 4-14 is/are allowed.
- 6) Claim(s) 2,15 and 17-21 is/are rejected.
- 7) Claim(s) 16 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                         |                                                                             |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|                                                                                                                         | 6) <input type="checkbox"/> Other: _____.                                   |

## **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
3. Claim 3 has been cancelled.
4. Claims 1, 4, 9 and 15 have been amended.
5. Claims 1, 2 and 4-21 are pending.
6. Examiner withdraws rejection of claims 9-14 under 35 U.S.C 112-second paragraphs due to correction by the applicant.

### ***Response to Arguments***

7. Applicant's arguments filed 04/09/04 have been fully considered but they are not persuasive with respect to claims 15 and 17-21.
  - With respect to Applicant's arguments that "subordinate authority, in response to the inter trusted authority trust modification data, changes as a trust anchor for a subscriber unit", Examiner refers Applicant to col.7, lines 59-8 and col.8, lines 1-3 that disclose inter trust between some certify authorities are more than other certify authorities and it is based on that trust structure that changes of inter trust

authority will be changed based on the trust modification data; Col.7, lines 27-67 and col.8, lines 1-3 disclose not only how a subordinate authority is added to a system, but also how the trust between the subordinate authorities and a common ancestor (superior authority) function. Examiner considers Abadi's reference not only disclosing a subordinate as a part of a system but also how it becomes as a part of the system. Examiner however agreed to Applicant's previous arguments (paper number 11) with respect to claim 16 in light of added limitation to claim 15. Examiner, therefore have withdrawn the rejection of claim 16.

- Examiner has agreed with Applicant's argument with respect to claims 1 and 4-14.
- Applicant's arguments with respect to the claim 2 have been considered but are moot in view of the new ground(s) of rejection.

*Double Patenting*

8. **Claim 2** is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 1. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

***Claim Rejections - 35 USC § 102***

9. **Claims 15 and 17-21** are rejected under 35 U.S.C. 102(b) as being anticipated by Abadi et al (5,315,657 A).

**As per claim 15** Abadi et al (5,315,657 A) teach an information security system and method comprising: a plurality of trusted authorities configurable in a rooted hierarchical structure (see col.7, lines 40-47) including at least one of the trusted authorities being a superior authority (see col.7, lines 27-29) and at least one of the trusted authorities being a subordinate authorities (see col.7, lines 45-48); and the superior authority operative to generate an inter trust authority modification data to a dynamically vary validation starting authorities among the subordinate authorities (see 66-68 and col.8, lines 1-2 wherein an inter trust between the different certificate authorities is being implemented by cross-certifying each other wherein their root is a common ancestor). Also see col.6, lines 58-68; col.7, lines 1-28; col.8, lines 55-68 and col.9 for more detailed inter trust between different authorities, their certification and verification.

**As per claim 17** Abadi et al (5,315,657 A) teach the system and method of claim 15 wherein at least one of the subordinate authorities includes a subscriber trust anchor specifier, operatively responsive to the inter trusted authority modification data, that

generates trust modification data for a plurality of subscribers (see col.9, lines 24-54).

**As per claim 18** Abadi et al (5,315,657 A) teach the system and method of claim 17 wherein the trust anchor modification data includes subordinate trust anchor data representing at least one trust anchor different from a local trust authority (see col.66-68 and col.8, lines 1-2 wherein one of the user is not certified by a local trust authority and that's why cross certification is being done between them in order to create a trust).

**As per claim 19** Abadi et al (5,315,657 A) teach the system and method of claim 15 wherein the superior authority includes a trust anchor modification data certificate issuer that provides the trust anchor modification data as a signed data structure for the subordinate authorities (see col.7, lines 50-53 and col.8, lines 42-44 wherein all new certification are signed representing signed data structure).

**As per claim 20** Abadi et al (5,315,657 A) teach the system and method of claim 15 wherein the trust anchor modification data includes data representing at least one of: scope of certification data, subordinate authority cross-certification allowance data, subordinate authority certification rule data, subordinate authority password rule data, subscriber trust anchor rule data and subscriber password rule data, certificate expiry policy, subscriber algorithm policy, and policy control message data (see as

an example col.7, lines 66-68 and col.8, lines 1-2 for cross-certification data; col.8, lines 45-52 for certificate expiry policy).

**As per claim 21** Abadi et al (5,315,657 A) teach the system and method of claim 15 including subordinate authority memory containing data representing validation starting authority data, wherein the data is stored in response to receiving the inter trusted authority trust modification (see col.8, lines 42-44; col.10, lines 7-24).

### ***Allowable Subject Matter***

10. Claims 1 and 4-14 are allowed.

A detailed Examiner reasons for allowance will be provided upon allowance of all claims within the application.

11. Claim 16 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **Conclusion**

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (703) 306-4169. The examiner can normally reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned as (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private

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PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197  
(toll-free).

  
Kambiz Zand

04/21/04

  
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